

Notice of Non-Responsive Amendment

The reply dated July, 14, 2008 is not fully responsive to the prior Office Action because:

Applicants argue that “*new claims 39, 40, and 42-48 include substantially similar limitations to claims 29. (emphasis added) As discussed above, amended claims 29 is patentable over the prior art of record. Accordingly, the new claims 39, 40, and 42-48 are patentable for at least the same reasons as set forth above.*” However, upon review, newly added claims 39, 40, and 42-48 are not that substantially similar to claim 29, as argued by Applicants. In particular, claim 29 is directed to a content delivery system comprising a memory cartridge having a proprietary interface for accessing data contained therein, while claims 39 is directed to recordable medium in which data is delivered through a network and written by a writing device. It is clear that at least claims 29 and 39 have limitations of different scope and language. Therefore, it is improper to argue claims 39, 40, and 42-48 as a group.

Thus, Applicants failed to present arguments pointing out the specific distinctions believed to render each newly presented independent claim patentable over cited references. (emphasis added) See 37 CFR 1.111(b).

Conclusion

Since the above-mentioned reply appears to be bona fide, applicant is **given ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARAK NISSAN whose telephone number is (571)270-3632. The examiner can normally be reached on Mon-Thurs 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)-272-3836. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
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